

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JULIAN J. LOZANO,) 1:05-CV-00552-AWI-DLB-P
)
 Plaintiff,) ORDER TO SUBMIT APPLICATION TO
) PROCEED IN FORMA PAUPERIS
vs.)
)
CAPT. HUBNER, et al.,) OR FILING FEE
)
 Defendants.)
)

Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has not paid the \$250.00 filing fee, or submitted an application to proceed in forma pauperis on the appropriate form pursuant to 28 U.S.C. § 1915. Accordingly, IT IS HEREBY ORDERED that:

- 22 1. The Clerk's Office shall send to plaintiff the form for application to proceed in
23 form pauperis, and
- 24 2. Within thirty days of the date of service of this order, plaintiff shall submit a

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completed application to proceed in forma pauperis, or in the alternative, pay the \$250.00 filing fee
2 for this action. Failure to comply with this order will result in a recommendation that this action
3 be dismissed.

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5 IT IS SO ORDERED.

6 Dated: May 12, 2005
7 3c0hj8

/s/ **Dennis L. Beck**
UNITED STATES MAGISTRATE JUDGE